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FEDERAL COMMUNICATIONS COMMISSION  
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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

ORIGINAL  
FILE

In the Matter of )  
 )  
Open Network Architecture Tariffs ) CC Docket No. 92-91  
of Bell Operating Companies )

MOTION FOR EXTENSION OF TIME TO  
FILE OPPOSITION TO DIRECT CASES

Pursuant to Section 1.46 of the Commission's Rules,  
47 C.F.R. § 1.46, American Telephone and Telegraph Company  
("AT&T") hereby requests that the Commission extend the date  
for filing oppositions to the Bell Operating Companies'  
("BOCs'") direct cases, currently scheduled for August 17,  
1992, to and including October 16, 1992.

At the time it initiated this investigation of the  
BOCs' Open Network Architecture ("ONA") access tariffs, the  
Commission recognized the need for intervenors to have access  
to those carriers' cost models (suitably redacted to protect  
proprietary information) in order to evaluate the  
reasonableness of the ONA rates.<sup>1</sup> Accordingly, the

<sup>1</sup> See, e.g., Bell Atlantic Telephone Companies (Open Network Architecture Tariffs), 7 FCC Rcd. 1512 (1992) ("ONA Investigation Order"). The BOCs, with the exception of U S WEST, use the Switching Cost Information System ("SCIS") licensed from Bell Communications Research, Inc. ("Bellcore") to develop switching unit investments in connection with their ONA rates. U S WEST uses the Switching Cost Model ("SCM"), as well as SCIS, to develop these expenses.

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Commission established procedures for making a redacted version of the cost models available to interested parties, subject to a protective order, for use in this proceeding.<sup>2</sup> Additionally, the Commission provided for a review of the cost models by Arthur Andersen & Co. S.C. and provision to interested parties of the report of that firm's findings, again redacted to eliminate competitively sensitive information and subject to a protective order limiting its use to this proceeding.<sup>3</sup>

In contemplation of the imminent availability of the redacted cost models and auditor's report to intervenors, the Commission established a pleading cycle and directed the BOCs to file their direct cases in mid-May.<sup>4</sup> However, following the filing of those pleading by the BOCs, intervenors showed that the models initially provided to them had been so heavily redacted as to preclude their use in this proceeding, and that Bellcore had undertaken to prepare a second version of the redacted SCIS model. The Commission recognized that these parties should be permitted "to participate fully in the ongoing ONA investigation, without the complication of supplemental pleadings based on review of

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<sup>2</sup> See Commission Requirements for Cost Support Material To Be Filed with Open Network Architecture Access Tariffs, 7 FCC Rcd. 1526 (1992) ("SCIS Disclosure Order").

<sup>3</sup> Id. at 1536 (¶ 56).

<sup>4</sup> Open Network Architecture Tariffs of Bell Operating Companies, 7 FCC Rcd. 2604 (1992) ("ONA Designation Order").

the second redacted SCIS model," and accordingly deferred the filing of oppositions until August 17.<sup>5</sup> In doing so, the Commission stated that it had been informally advised by Bellcore that the revised model would be available "no later than the middle of July" and that, given this fact, the new schedule "should provide intervenors with ample time to examine the second redacted SCIS model prior to filing their oppositions to direct cases."<sup>6</sup>

Contrary to the Commission's apparent expectation, the provision to intervenors of the BOCs' redacted models has been delayed significantly beyond mid-July, and parties will not have had a chance to complete their review of those materials until at least early September.<sup>7</sup> Additionally, the

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<sup>5</sup> Open Network Architecture Tariffs of Bell Operating Companies, Order, DA 92-743, released June 9, 1992 ("June 9 Order").

<sup>6</sup> Id. at ¶ 3.

<sup>7</sup> See Letter dated July 31, 1992 from James F. Britt, Bellcore, to Cheryl Tritt, FCC (describing proposed procedures and schedule for provision of "Redaction II" software and documentation to interested parties). Bellcore's letter contemplates that parties would complete their on-site reviews of the SCIS material by August 28; however, the on-site review period for AT&T unilaterally proposed by Bellcore is unacceptable, given the brief interval allowed for a prior review of the new redacted SCIS documentation. Based on its discussions with Bellcore, AT&T understands that other parties to the investigation have also rejected the on-site review dates offered by Bellcore, and that Bellcore has therefore established an additional review period during the week of August 31 to accommodate intervenors' requirements. Moreover, procedures and a schedule for implementing review by intervenors of a revised redaction of U S WEST's SCM model software and documentation are still in the process of being finalized. See Letter

redacted version of the auditor's report on its review of the cost models was only filed with the Commission and made available by Arthur Andersen to interested parties on July 31.<sup>8</sup>

It is clear that parties should be afforded an adequate opportunity both to analyze the auditor's redacted report and to conduct their reviews of the redacted cost models before being required to respond to the BOCs' direct cases. As shown above, under the most optimistic scenario interested parties will not have the ability to complete these activities until the early part of September. Thereafter, these parties will have to prepare their oppositions to the BOCs' pleadings during a period interrupted by secular (Labor Day) and religious (Rosh Hashanah and Yom Kippur) holidays. In these circumstances, granting a deferral of the current pleading cycle until October 16 is necessary to afford intervenors approximately the same interval to prepare their pleadings as the schedule prescribed by the Commission in the June 9 Order, and allow these parties to participate effectively in the Commission's investigation of the BOCs' ONA tariffs.

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(footnote continued from previous page)

dated July 31, 1992 from Anna Lim, U S WEST, to Cheryl Tritt, FCC.

<sup>8</sup> See Letter dated July 31, 1992 from Joseph P. Perrone, Arthur Andersen, to Cheryl Tritt, FCC.

WHEREFORE, for the reasons stated above, the Commission should defer the filing of oppositions to the BOCs' direct cases to not later than October 16, 1992.<sup>9</sup>

Respectfully submitted,  
AMERICAN TELEPHONE AND TELEGRAPH COMPANY

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August 7, 1992

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<sup>9</sup> The June 9 Order accorded the BOCs a 28 day interval in which to reply to the intervenors' oppositions. The Commission should, as part of the instant extension, defer the deadline for filing of replies for at least an equivalent period, i.e., at least to and including November 13.

CERTIFICATE OF SERVICE

I, Ann Marie Abrahamson, do hereby certify that on this 7th of August, 1992, a copy of the foregoing "Motion for Extension of Time To File Opposition To Direct Cases" of American Telephone and Telegraph Company was mailed by U.S. first class mail, postage prepaid, to the parties listed on the attached service list.

  
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